



General Assembly

Amendment

February Session, 2006

LCO No. 5565

SB0019505565SR0

Offered by:

SEN. RORABACK, 30th Dist.

REP. CHAPIN, 67th Dist.

SEN. FINCH, 22nd Dist.

SEN. MCKINNEY, 28th Dist.

To: Subst. Senate Bill No. 195

File No. 73

Cal. No. 99

**"AN ACT CONCERNING PROTECTION OF OPEN SPACE LAND
SURROUNDING CANDLEWOOD LAKE."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) For purposes of this section,
4 "Boardman Bridge open space property" means those parcels of
5 undeveloped land currently owned by The Connecticut Light and
6 Power Company that equal approximately three hundred acres and
7 are comprised of approximately four and one-half miles of riverfront
8 land located adjacent to and along both the westerly and easterly
9 banks of the Housatonic River, in New Milford, Connecticut,
10 extending northerly from Boardman Road to the Route 7 crossing over
11 the Housatonic River, and identified as parcel numbers 99-104, 99-105,
12 99-1166, 99-1167, 99-1168, 99-1169, 99-1170, 100-1164, 100-1165, 100-
13 1200 under the memorandum of understanding between the

14 commissioner of Environmental Protection and the Connecticut Light
15 and Power Company dated April 12, 2000.

16 (b) If, upon review of any application by The Connecticut Light and
17 Power Company pursuant to section 16-43 of the general statutes for
18 the transfer to the state of Connecticut or other nonprofit land holding
19 conservation organization of all or a portion of the Boardman Bridge
20 open space property, the Department of Public Utility Control
21 determines that such property is not an essential part of The
22 Connecticut Light and Power Company's franchise or otherwise
23 necessary or useful in the performance of its duty to the public, the
24 department shall, notwithstanding the provisions of subdivision (4) of
25 subsection (h) of section 16-245e and subsection (e) of section 16-43 of
26 the general statutes, allocate the economic benefits of said transfer
27 consistent with the provisions of said section 16-43, such that if not less
28 than ninety per cent of the area of such property is to be permanently
29 limited by a conservation easement or a deed restriction to use for
30 "open space of recreational purposes", as defined in section 16-43b of
31 the general statutes, the department shall allocate one hundred per
32 cent of the economic benefits to the shareholders. For purpose of this
33 section, economic benefits shall include the economic benefits derived
34 from any federal or state tax credits as a result of a transfer and the
35 term "transfer" shall include the conveyance of a fee, leasehold or
36 conservation easement by donation. Any transfer pursuant to this
37 section shall not be subject to section 36 of public act 05-1 of the June
38 special session."

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|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |